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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/658,274	09/10/2003	Chih-Kao Hsu	HSUC3039/EM	4028
23364	7590	04/12/2006	EXAMINER	
BACON & THOMAS, PLLC 625 SLATERS LANE FOURTH FLOOR ALEXANDRIA, VA 22314			SNIDER, THERESA T	
			ART UNIT	PAPER NUMBER
			1744	

DATE MAILED: 04/12/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/658,274	Applicant(s) HSU, CHIH-KAO	
	Examiner Theresa T. Snider	Art Unit 1744	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 September 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Drawings

1. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because:
reference character “18” has been used to designate both opening(page 5, line 3) and nozzle(page 5, lines 24-25);
reference character “111” has been used to designate both holder(page 5, line 8) and tray(page 7, line 17).

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either “Replacement Sheet” or “New Sheet” pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

2. The disclosure is objected to because of the following informalities:

Exemplary of such:

Page 1, line 4 and occurrences thereafter, does Applicant mean ‘hand-held’ when he says ‘hand’?

Line 6, ‘a’ should be inserted after ‘in’;

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Line 10, it is unclear as to what is meant by 'from adjustment for it's width';

Line 13, 'wide' should be replaced with 'width'.

Page 2, line 19, 't' should be replaced with 'to':

Line 20, 'a' should be inserted after 'with'.

Page 5, line 26, 'related to a' should be replaced with 'like the'.

Page 5, line 8, '19' should be replaced with '18';

Line 11, 'each' should be deleted;

Line 12, it is unclear as to what 'the tray' refers;

Line 14, it is unclear as to what is meant by 'related to a member with narrow nozzle';

Line 16, it is unclear as to what is meant by 'grain'.

Page 6, lines 5 and 6, 'each' should be deleted;

Line 9, it is unclear as to what is meant by 'pre-planted';

Line 13, it is unclear as to what is meant by 'at where';

Line 16, 'a' should be replaced with 'the';

Line 17, 'of' should be deleted;

Line 26, 'a' should be replaced with 'as a';

Line 27, 'both of' should be deleted.

Page 7, line 1, 'to disengage' should be replaced with 'from engaging';

Line 2, 'a' should be inserted after 'to';

Line 3, it is unclear as to what is meant by 'block a sidewall';

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Lines 8-9, it is unclear as to what is meant by 'to function as a retainer positioning';

Line 12, it is unclear as to what is meant by 'a retaining function';

Line 15, it is unclear as to what is meant by a 'positioning function';

Line 16, it is unclear as to what is meant by 'hooking up';

Line 16, 'each' should be deleted;

Line 17, 'is' should be deleted;

Line 18, it is unclear as to what is meant by 'a matching relation';

Line 21, 'externally' should moved from after 'release' to before 'release';

Line 22, 'up' should be deleted;

Line 23, '3' should be replaced with '2';

Line 27, 'to' should be replaced with 'into'.

Page 8, line 4, it is unclear as to what is meant by 'to respectively function a limiting retainer';

Line 7, 'advances or retreats in' should be replaced with 'advances from or retracts into';

Line 12, 'build' should be replaced with 'built';

Line 13, 'since' should be replaced with 'by';

Lines 13-14, it is unclear as to what is meant by 'in normal condition blocks out';

Line 15, 'a' should be deleted;

Lines 19-20, it is unclear as to what is meant by 'for the other end...slider 31(31a)';

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Lines 21-22, 'outwardly' should be moved from after 'push' to before 'push';

Line 22, 'up' should be deleted;

Line 24, 'As' should be replaced with 'If';

Line 25, 'not yet' should be deleted;

Line 26, it is unclear as to what is meant by 'blocked out';

Line 27, 'first' should be moved from before 'to' to after 'to'.

Page 9, line 1, 'up' should be deleted;

'so be' should be deleted;

'it' should be inserted after 'free';

it is unclear as to what is meant by 'the block out';

Line 2, ', then' should be replaced with '. Then';

Line 4, 'and' should be deleted;

Line 5, 'finally' should be moved from before 'the' to after 'is';

Line 10, 'build' should be replaced with 'built';

'permits itself to be' should be replaced with 'is';

Line 12, 'become' should be deleted;

Lines 13-14, 'prevent...cleaner' should be replaced with 'the hand vacuum cleaner is prevented direct access';

Line 14, 'the' should be replaced with 'a';

Lines 16-19, it is unclear as to what is meant by 'adjustable alone...hand vacuum cleaner.';

Line 21, it is unclear as to what is meant by 'individually applied';

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Line 22, 'with ' should be replaced with 'in';

Line 24, 'of the'(first occurrence) should be deleted;

'of'(second occurrence) should be deleted.

Page 10, line 7, 'necessarily' should be replaced with 'necessary';

'each' should be replaced with 'an';

Line 10, 'up' should be deleted;

Lines 12-13, it is unclear as to what is meant by 'to drive';

Line 13, it is unclear as to what is meant by 'by section';

Line 15, 'up' should be deleted.

Appropriate correction is required.

3. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claims 1-24 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Exemplary of such:

Claims 1-24, line 1, should 'hand' be replaced with 'hand-held'?

Claim 1, line 2, it is unclear as to what is meant by 'nozzle width adjustable';

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Line 4, it is unclear as to what is meant by 'of expanded nozzle';

Line 6, 'including' should be replaced with 'includes';

Line 7, 'being' should be deleted;

Line 9, 'each' should be deleted;

Line 10, 'the inner wall' lacks proper antecedent basis;

Line 11, 'being' should be replaced with 'is';

Line 14, it is unclear as to what is meant by 'related to';

Line 14, it is unclear as to what 'one' refers;

Lines 14-15, it is unclear as to what is meant by 'having at its terminal connected to the built-in hose';

Line 17, 'of' should be replaced with 'having';

Line 17, 'being' should be deleted;

Line 20, it is unclear as to what is meant by 'provided alone';

Line 22, it is unclear as to what is meant by 'inserted to each other'

Line 23, it is unclear as to what is meant by 'being planted at where between';

Lines 26-1, it is unclear as to what is meant by 'a positioning structure...hooks';

Lines 1-3, it is unclear as to what is meant by 'the slider...by that:';

Line 8, it is unclear as to what is meant by 'widen up the nozzle';

Claims 2-13, line 1, 'A' should be replaced with 'The'.

Claim 2, lines 3 and 4, 'being each' should be replaced with 'is';

Line 4, 'being' should be replaced with 'is';

Line 5, 'each' should be deleted;

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Line 6, it is unclear as to what is meant by 'both outer wall'.

Claim 3, line 3, 'at where' should be deleted.

Claim 5, line 5, it is unclear as to what is meant by 'another end of the hook bit'.

Claim 6, line 3, it is unclear as to what is meant by 'blocks out'.

Claim 7, lines 4-5, it is unclear as to what is meant by 'when the...extreme'.

Claim 9, line 2, 'being' should be replaced with 'is';

Line 4, it is unclear as to what is meant by 'the terminal of the wall'.

Claim 10, lines 2-3, it is unclear as to what is meant by a positioning 'grain';

Line 5, 'being' should be replaced with 'is';

Claim 11, lines 3-4, it is unclear as to what is meant by 'holds against';

Line 5, it is unclear as to what is meant by 'for the other end'.

Claim 12, line 3, it is unclear as to what is meant by 'related to';

Line 3, it is unclear as to what is meant by 'to extend for a longer hose'.

Claim 13, lines 3-4, it is unclear as to what is meant by 'inserted to one another'.

Claim 14, line 1, it is unclear as to what is meant by 'nozzle width adjustable';

Lines 2 and 6, it is unclear as to what constitutes 'narrow';

Line 3, it is unclear as to what is meant by 'of expanded nozzle';

Line 4, 'characterized by that' should be replaced a phrase commonly used in US practice;

Line 5, it is unclear as to what is meant by 'inserted to each other';

Line 6, it is unclear as to what is meant by 'normal' condition;

Line 7, it is unclear as to what is meant by 'retreated to be inserted';

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Line 8, 'of' should be deleted;

Line 9, it is unclear as to what is meant by 'stretched away'.

Claims 15-23, lines 1-2, 'and built-in hose' should be deleted because claim 14 fails to recite a hose.

Claim 15, line 3, 'including' should be replaced with 'includes';

Line 6, 'each' should be deleted;

Line 8, 'being' should be replaced with 'is';

Line 10, it is unclear as to what is meant by 'being planted';

Line 10, 'at where' should be deleted;

Lines 13-14, it is unclear as to what is meant by 'a positioning...hooks'.

Claim 16, lines 3, 4 and 5, 'being each' should be replaced with 'is';

Line 6, it is unclear as to what is meant by 'to both outer wall';

Line 9, it is unclear as to what is meant by 'being planted'.

Claim 17, line 3, 'at where' should be deleted.

Claim 19, line 2, 'wherein,'(first occurrence) should be deleted;

Line 3, 'extending' should be replaced with 'extend';

Line 4, 'are used' should be deleted;

Line 5, it is unclear as to what is meant by 'another end...provided'.

Claim 20, line 5, it is unclear as to what is meant by 'sliding in the groove to its extreme'.

Claim 22, lines 3-4, it is unclear as to what is meant by 'holds against';

Lines 5-6, it is unclear as to what is meant by 'for the other...slider'.

Claim 23, lines 3-4, it is unclear as to what is meant by 'inserted to one another in series'.

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Claim 24, line 1, 'characterized by that' should be replaced a phrase commonly used in US practice;

Line 4, it is unclear as to what is meant by 'related to';

Lines 6-7, it is unclear as to what is meant by 'at where in relation to';

Lines 8-9, it is unclear as to what is meant by 'at where in relation with';

Line 10, it is unclear as to what is meant by 'triggering off'.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

7. Claim 14 is rejected under 35 U.S.C. 102(b) as being clearly anticipated by KR20-0181859.

KR20-0181859 discloses a vacuum cleaner with a primary nozzle and an expansion nozzle with a slider and connector (fig. 4, #10,11,13,12,14,16,16a).

Allowable Subject Matter

8. Claims 1 and 24 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action.

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9. Claims 2-13 and 15-23 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

10. The following is a statement of reasons for the indication of allowable subject matter: the prior art discloses a vacuum cleaner with a dust receiver having a retractable wand or blower having a having a built-in hose connected to a nozzle wherein the hose is stored in an inner sleeve in a compressed state HOWEVER fails to disclose or fairly suggest a vacuum cleaner with a dust receiver having an inner sleeve provided in the dust receiver wherein a built-in hose is compressed and stored within the inner sleeve.

Conclusion

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Sepke discloses a blower having a built-in hose connected to a nozzle wherein the hose is stored in an inner sleeve in a compressed state. Rogers et al. discloses a vacuum cleaning apparatus with a dust receiver having a retractable wand stored within a sleeve. JP2002-112930 discloses a vacuum cleaner with an expandable primary nozzle.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Theresa T. Snider whose telephone number is (571) 272-1277. The examiner can normally be reached on Monday-Thursday (5:30am-2:00pm).

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gladys Corcoran can be reached on (571) 272-1214. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in cursive script, appearing to read "Theresa T. Snider".

Theresa T. Snider
Primary Examiner
Art Unit 1744

4/11/2006